

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 4:17 CR 457
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
-v-)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
ROBERT M. WALLEY,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr., regarding the change of plea hearing of Robert M. Walley, which was referred to the Magistrate Judge with the consent of the parties.

On November 8, 2018, the government filed a two count Indictment, charging Defendant Robert M. Walley, with Felon in Possession of a Firearm and Ammunition and Possession of an Unregistered Sawed Off Shotgun, in violation of Title 18 United States Code Section 922(g)(1) and 924(a)(2) and 26:5841, 5861(d) and 5871 respectively. Defendant Walley was arraigned on January 23, 2018, and entered a plea of not guilty to Counts 1 and 2 of the Indictment, before Magistrate Judge Limbert. On May 2, 2018, Magistrate Judge Baughman, Jr., received Defendant Walley's plea of guilty to Counts 1 and 2 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Walley is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis

for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Walley is adjudged guilty to Counts 1 and 2 of the Indictment, in violation of 18 United States Code Section 922(g)(1) and 924(a)(2) and 26:5841, 5861(d) and 5871 respectively. This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on August 9, 2018, at 11:00 a.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

June 8, 2018